

Senate Bill 540

By: Senators Staton of the 18th, Douglas of the 17th, Whitehead, Sr. of the 24th, Goggans of the 7th, Wiles of the 37th and others

A BILL TO BE ENTITLED

AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for special license plates promoting our nation's heritage in Georgia; to provide for issuance, renewal, fees, licensing agreements, applications, transfers, and disposition of funds relative to such license plates; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, is amended by adding a new Code Section 40-2-86.18 to read as follows:

"40-2-86.18.

(a) There shall be issued beginning July 1, 2007, special license plates promoting our American heritage in Georgia and recognizing the tremendous impact faith and family has had on the economy and culture of the State of Georgia, subject to the conditions set forth in this Code section.

(b) The commissioner, in cooperation with representatives from the faith-based community in Georgia, shall design special distinctive license plates appropriate to promote our family and faith-based heritage in Georgia. The license plates shall contain the language 'In God We Trust.' The license plates shall be of the same size as general issue motor vehicle license plates and shall include a unique design and identifying number, whereby the total number of characters does not exceed six. No two recipients shall receive identically numbered plates. The graphic on the special license plate shall be placed to the left of the alphanumeric characters and shall be no larger than three inches by three inches.

(c) Notwithstanding the provisions of subsection (a) of this Code section, this Code section shall not be implemented until such time as the State of Georgia has, through a licensing agreement or otherwise, received any licenses or other permissions that may be required to implement this Code section. The design of the initial edition of the faith and family license plates, as well as the design of subsequent editions and excepting only any part or parts of the designs owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The commissioner may take such steps as may be necessary to give notice of and protect such right, including the copyright or copyrights. However, such steps shall be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law, and no person shall reproduce or otherwise use such design or designs, except as authorized by the commissioner.

(d) Beginning in July, 2007, any Georgia resident who is the owner of a motor vehicle, except a vehicle registered under the International Registration Plan, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular motor vehicle registration fee shall be issued a faith and family license plate. Revalidation decals shall be issued for such license plates in the same manner as provided for general issue license plates.

(e) The manufacturing fee derived from the issuance and renewal of the faith and family license plates authorized under this Code section shall be apportioned as follows: \$2.00 shall be used by the department for manufacturing and purchase costs and \$23.00 shall be paid to the general fund of the state treasury. As soon as practicable after December 31 of each year, the commissioner shall report the total number of such special license plates that were issued or renewed during the preceding year to the Office of Planning and Budget and the Department of Veterans Service. It is the intent of the General Assembly that the General Assembly appropriate an amount equal to \$10.00 per such license plate issued or renewed in any year to be made available during the following fiscal year to the Department of Veterans Service. The Department of Veterans Service shall utilize the funds so appropriated to provide for programs for assisting Georgia veterans.

(f) An applicant may request a faith and family license plate any time during the applicant's registration period. If such a license plate is to replace a current valid license plate, the faith and family license plate shall be issued with appropriate decals attached.

(g) No special license plate authorized pursuant to this Code section shall be issued except upon the application of at least 1,000 applications. The special license plate shall have an application period of two years after January 1, 2007, for payment of the manufacturing

1 fee. After such time, if the minimum number of applications is not met, the department  
2 shall not continue to accept the manufacturing fee, and all fees shall be refunded to  
3 applicants.

4 (h) The department shall not be required to continue to manufacture the special license  
5 plate if the number of active registrations falls below 500 registrations at any time during  
6 the period as provided in subsection (b) of Code Section 40-2-31. A current registrant may  
7 continue to renew such special license plate during his or her annual registration period  
8 upon payment of an additional \$25.00 annual special tag fee, which fee shall be collected  
9 by the county tag agent at the time of collection of other registration fees and shall be  
10 remitted to the state as provided in Code Section 40-2-34. The department may continue  
11 to issue such special license plates that it has in its inventory to assist in achieving the  
12 minimum number of registrations. If the special license plate falls below 500 active  
13 registrations at any time during the period as provided in subsection (b) of Code Section  
14 40-2-31, its supporters shall be required again to obtain 1,000 applications accompanied  
15 by the manufacturing fee to continue the manufacture of the special license plate.

16 (i) The faith and family license plates shall be transferred from one vehicle to another  
17 vehicle in accordance with the provisions of Code Section 40-2-80.

18 (j) The faith and family license plates shall be issued within 30 days of application once  
19 the requirements of this Code section have been met."

## 20 **SECTION 2.**

21 This Act shall become effective on January 1, 2007.

## 22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.